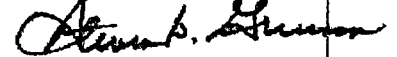


# EXHIBIT A

Plaintiff's First Amended Complaint

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**EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

MELISSA SOLIS, individually,

Plaintiff,

v.

CASE NO.: A-222-850685-C

DEPT NO.: XXIX

WESTGATE RESORTS, INC., a Delaware  
Corporation; WESTGATE LAS VEGAS  
RESORT, LLC d/b/a WESTGATE LAS VEGAS  
RESORT, a DOE INDIVIDUALS, I-X; and  
ROE CORPORATIONS I-X, inclusive,

Defendants.

**FIRST AMENDED COMPLAINT**

COMES NOW, Plaintiff, MELISSA SOLIS, by and through her attorneys, INJURY LAWYERS  
OF NEVADA, and for their causes of action against Defendant, complains and alleges as follows:

**STATEMENT OF JURISDICTION**

1. The actions complained of herein occurred in Clark County, Nevada.

2. At all relevant times, Defendants WESTGATE RESORTS, INC. and WESTGATE LAS  
VEGAS RESORT, LLC d/b/a WESTGATE LAS VEGAS RESORT (collectively "Defendants") are a  
Delaware Corporation and a Delaware Limited Liability Company, respectively, each conducting business  
in Clark County, Nevada.

3. The true names and capacities of the Defendants designated herein as Doe or Roe  
Corporations are presently unknown to Plaintiff at this time, who therefore sues said Defendants by such

1 fictitious names. When the true names and capacities of these defendants are ascertained, Plaintiffs will  
2 amend this Complaint accordingly.

3 4. At all times pertinent herein, Defendants were agents, servants, employees or joint  
4 venturers of every other Defendant, and at all times mentioned herein were acting within the scope and  
5 course of said agency, employment, or joint venture, with knowledge and permission and consent of all  
6 other named Defendants.

### 7 GENERAL ALLEGATIONS

8 5. Plaintiff incorporates by reference all proceeding paragraphs as though fully and  
9 completely set forth herein.

10 6. On July 17, 2020, Plaintiff was an invitee at the Westgate Las Vegas Resort located at 3000  
11 Paradise Road, Las Vegas, NV 89109.

12 7. On July 17, 2020 there was a puddle of liquid left near the check-in counter at the Westgate  
13 Las Vegas Resort.

14 8. As Plaintiff was walking to the check-out counter at the Westgate Las Vegas Resort she  
15 slipped on the puddle of liquid which caused her to fall to the ground ("the Fall"), injuring certain body  
16 parts to be proven prior to, or at trial.

17 9. The Defendants were in control of the area where the Fall took place, were aware or should  
18 have been aware of the puddle of liquid, were aware that the puddle of liquid was a hazard and rendered  
19 the area of the slip and fall unreasonably dangerous for patrons, like Plaintiff.

20 10. In spite of their awareness of the puddle of liquid and the danger that it could pose to  
21 patrons, the Defendants failed to properly clean the area containing the puddle of liquid, failed to barricade  
22 the area of the puddle of liquid, and failed to provide any warning of the puddle of liquid.

23 11. Further, Defendants knew or should have known that the flooring used in the area of the  
24 Fall would be unreasonably slippery for patrons if the flooring became wet and/or in contact with a liquid.

25 12. The Defendants failed to prepare adequate policies and procedures for dealing with  
26 foreseeable hazards such as puddle of liquid and/or failed to follow their own policies for safely dealing  
27 with foreseeable hazards such as puddle of liquid.

28 13. As a result of the Defendant's negligent actions described above, the Plaintiff slipped on

1 the puddle of liquid, suffering injuries.

2 14. Plaintiff's injuries were a direct and proximate result of Defendants' negligence and failure  
3 to protect her from harm.

4 **FIRST CAUSE OF ACTION**

5 **(Negligence/Premises Liability – All Defendants)**

6 15. Plaintiff incorporates by reference all proceeding paragraphs as though fully and  
7 completely set forth herein.

8 16. Defendants owed Plaintiff a duty of care to provide Plaintiff with a safe environment and  
9 to warn Plaintiff of the non-obvious, dangerous condition at the Property.

10 17. Defendants breached this duty of care by, among other things, failing to prepare adequate  
11 policies and procedures for dealing with foreseeable hazards such as puddle of liquid and/or failing to  
12 follow their own policies for safely dealing with foreseeable hazards such as puddles of liquid, failing to  
13 barricade the puddle of liquid and otherwise failing to warn Plaintiff of any puddle of liquid. Defendants  
14 also breached this duty of care by negligently, carelessly and recklessly maintaining the Property and  
15 failing to heed warnings about dangerous conditions at the Property.

16 18. Defendants' negligence directly and proximately caused Plaintiff serious injury.

17 19. As a direct and proximate result of Defendants' negligence, Plaintiff received medical and  
18 other treatments for injuries sustained from the incident, all or some of which conditions may be  
19 permanent and disabling and, all to Plaintiff's damage in a sum in excess of \$15,000. Said services, care,  
20 and treatment are continuing and shall continue in the future.

21 20. As a direct and proximate result of Defendants' negligence, Plaintiff has been required to limit  
22 certain recreational activities, which have caused, and shall continue to cause loss of enjoyment of life.

23 21. As a direct and proximate result of Defendants' negligence, Plaintiff incurred injury to her  
24 body and mind, past and future medical expenses, past and future pain and suffering, past and future  
25 emotional distress, and anticipated loss of income, all to her damage in an amount in excess of \$15,000.00.

26 22. Due to Defendants' negligence, Plaintiff has been required to retain the services of legal  
27 counsel and is entitled to her recovery of attorney's fees and costs incurred in pursuit of this action.

28 ...

**SECOND CAUSE OF ACTION**

**(Negligent Hiring, Training and Supervision against All Defendants)**

23. Plaintiff incorporates by reference all proceeding paragraphs as though fully and completely set forth herein.

24. That the Defendants owed Plaintiff a duty of care to provide him a safe environment and to ensure that foreseeable hazards such as raised and otherwise damaged tiles were promptly and safely dealt with.

25. That the Defendants breached this duty of care by failing to follow safe and responsible practices in hiring, training and supervising their employees.

26. As a direct and proximate result of the Defendants' failure to follow safe and responsible practices in hiring, training and supervising their employees the Plaintiff encountered the raised and otherwise damaged tiles and suffered injuries.

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff expressly reserving the right to amend this complaint prior to or at the time of trial of this action, to insert those items of damage not yet fully ascertainable, prays judgment against all Defendants, and each of them, as follows:

1. For general damages in an amount in excess of \$15,000.00;
2. For special damages in an amount in excess of \$15,000.00;
3. For reasonable attorneys' fees and costs;
4. For interest at the statutory rate; and
5. For such other relief as the Court deems just and proper.

Dated this 5th day of April, 2022.

**INJURY LAWYERS OF NEVADA**

/s/ J. Taylor Oblad

J. TAYLOR OBLAD, ESQ. (SBN: 11430)

4001 Meadows Lane

Las Vegas, Nevada 89107

*Attorney for Plaintiff*